

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE: Jason Earl Bockel
Jodi Leigh Bockel
9510 Uzzell Road
Manvel, TX 77578

CHAPTER 13

CASE NO. 22-30043-H1

DEBTORS

MOTION TO DISMISS OR CONVERT

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

David G. Peake, Chapter 13 Trustee moves the court to Dismiss or Convert the above-referenced case for the following reasons:

 X The Chapter 13 Plan must be amended to provide for the claims of the secured and priority Creditors in full within the terms of the Plan.

 Payments due pursuant to U.S.C. § 1326(a)(1) have not been made.

 Debtors failed to appear for the Meeting of Creditors and this constitutes a failure to appear in proper prosecution of the case for purposes of subsequent eligibility under 11 U.S.C. § 109.

 The Debtors have not filed their Federal Income Tax return for the following years: . Therefore the Debtors are not able to meet the burden of proving that the Plan complies with 11 U.S.C. § 1322 (a) (2).

 The Debtors have caused unreasonable delay that is prejudicial to the Creditors .

 Other:

A HEARING WILL BE CONDUCTED ON THIS MATTER ON MARCH 22, 2022 AT 9:00 AM IN U.S. BANKRUPTCY COURT, 515 RUSK, ROOM 404, 4TH FLOOR, HOUSTON, TX 77002-0000. IF YOU WANT A HEARING, YOU MUST REQUEST ONE IN WRITING. YOU MUST FILE YOUR RESPONSE WITH THE CLERK OF THE BANKRUPTCY COURT WITHIN TWENTY ONE DAYS AS FOLLOWS: 1. FILE A RESPONSE WITHIN TWENTY ONE DAYS THAT SHOWS THAT THE ABOVE-CITED DEFICIENCY HAS BEEN CURED, OR 2. FILE A RESPONSE WITHIN TWENTY ONE (21) DAYS THAT SHOWS THAT THE COURT SHOULD ALLOW YOU ADDITIONAL TIME TO CURE THE ABOVE-CITED DEFICIENCY. OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND DISMISS OR CONVERT YOUR CASE. IF THE DEFICIENCY IS FOR FAILURE TO FILE TAX RETURNS AND THE CASE IS DISMISSED, YOU WILL NOT BE ALLOWED TO FILE ANOTHER BANKRUPTCY CASE UNTIL ALL OF YOUR RETURNS ARE FILED.

Wherefore, the Trustee requests that the case be dismissed or converted to Chapter 7 , whichever shall be determined in the best interest of creditors.

Dated: February 22, 2022

/s/ David G. Peake

David G. Peake

Standing Chapter 13 Trustee

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Trustee's Motion to Dismiss Case has been served electronically on all parties requesting electronic notice and has been served on the listed parties (if listed) by mailing a copy of same to the address listed below via first class mail February 22 , 2022.

Electronically signed by
David G. Peake, Chapter 13 Trustee

Debtor's Attorney of Record:
KEELING LAW FIRM
KENNETH A. KEELING ATTORNEY
3310 KATY FREEWAY STE 200
HOUSTON, TX 77007

Debtor:
Jason Earl Bockel
Jodi Leigh Bockel
9510 Uzzell Road
Manvel, TX 77578

ACCOUNTY MANAGEMENT SERV
6101 BALL RD STE 207
CYPRESS, CA 90630

ACS PRIMARY CARE PHYSICIANS SW PA
PO BOX 1123
MINNEAPOLIS, MN 55440

AMERICAN CREDIT ACCEPTANCE
961 E MAIN STREET
SPARTANBURG, SC 29302

AMOCO FEDERAL CREDIT UNION
PO BOX 889
TEXAS CITY, TX 77592

BRAZORIA COUNTY ET AL
BRAZORIA COUNTY TAX OFFICE
111 E LOCUST
ANGLETON, TX 77515

CENTURY ASPHALT LTD
c/o TED WALKER THE WALKER LAW FIRM
PO BOX 62
JASPER, TX 75951

CONNS
ATTN: BANKRUPTCY
2445 TECHNOLOGY FOREST BLVD BLDG 4 STE
800
THE WOODLANDS, TX 77381

CORDOBA LAW FIRM
85 OAK DR SUITE 102
LAKE JACKSON, TX 77566

COUNTRY DOOR/SWISS COLONY
ATTN BANKRUPTCY
1112 SEVENTH AVE
MONROE, WI 53566

CREDIT MANAGEMENT LP
6080 TENNYSON PKWY STE 100
PLANO, TX 75024-6002

DOMINIQUE VARNER
HUGHES WATTERS & ASKANASE LLP
1201 LOUISIANA 28TH FLOOR
HOUSTON, TX 77002

ENHANCED RECOVERY CORP
8014 BAYBERRY RD
JACKSONVILLE, FL 32256

HCTRA-VIOLATIONS
PO BOX 4440 DEPT. 11
HOUSTON, TX 77210

IC SYSTEMS INC
PO BOX 64378
ST PAUL, MN 55164-0378

INTERNAL REVENUE SERVICE***
P O BOX 7317
PHILADELPHIA, PA 19101-7317

JPMORGAN CHASE BANK NA
NATIONAL BANKRUPTCY DEPARTMENT
PO BOX 901032
FORT WORTH, TX 76101-2032

JPMORGAN CHASE BANK, N.A. S/B/M/T CHASE
BANK, USA, N.A.
JPMORGAN CHASE BANK, N.A.
PO BOX 15368
WILMINGTON, DE 19850

KEELING LAW FIRM
KENNETH A. KEELING ATTORNEY
3310 KATY FREEWAY STE 200
HOUSTON, TX 77007

LVNV FUNDING LLC
RESURGENT CAPITAL SERVICES
PO BOX 10587
GREENVILLE, SC 29603-0587

MIDNIGHT VELVET
1112 7TH AVE
MONROE, WI 53566

NELNET LOANS
PO BOX 82505
LINCOLN, NE 68501

NELNET ON BEHALF OF COLLEGE ASSIST
PO BOX 16358
ST PAUL, MN 55116

PERDUE, BRANDON, FIELDER, COLLINS &
MOTT, L.L.P.
c/o MELISSA E. VALDEZ
1235 NORTH LOOP WEST, SUITE 600
HOUSTON, TX 77008

PINK DOGWOOD 13, LLC
PO BOX 1931
BURLINGAME, CA 94011

QUANTUM3 GROUP LLC
PO BOX 2489
KIRKLAND, WA 98083

REALVEST SERVICES LLC
2651 PEARLAND PARKWAY, STE 102
PEARLAND, TX 77581

REGIONS BANK DBA ENERBANK USA
ENERBANK USA
1245 EAST BRICKYARD ROAD, SUITE 600
SALT LAKE CITY, UT 84106

REPUBLIC FINANCE LLC
282 TOWER RD
PONCHATOULA, LA 70454

SANTANDER CONSUMER USA INC.
PO BOX 560284
DALLAS, TX 75356-0284

SANTANDER CONSUMER USA, INC.
PO BOX 961245
FORT WORTH, TX 76161

SAVINGS ACCOUNT
, TX

SCOTT & ASSOCIATES PC
PO BOX 115220
CARROLLTON, TX 75011

SHEFFIELD FINANCIAL
BANKRUPTCY SECTION/100-50-01-51
PO BOX 1847
WILSON, NC 27894-1847

SHEFFIELD FINANCIAL
PO BOX 1847
WILSON, NC 27894

SPECIALIZED COLLECTION SYSTEMS
PO BOX 441508
HOUSTON, TX 77244

SUN LOAN #108
1712 S GORDON ST
ALVIN, TX 77511

SWC GROUP
4120 INTERNATIONAL PARKWAY #100
CARROLLTON, TX 75007

TRS RECOVERY SERVICES
1600 TERRELL MILL ROAD
MARIETTA, GA 30067

TXU ENERGY RETAIL COMPANY LLC
PO BOX 650393
DALLAS, TX 75265

WELLS FARGO DEALER SERVICES
1100 CORPORATE CENTER DR
RALEIGH, NC 27607

WESTERN SHAMROCK CORPORATION
DBA WESTERN FINANCE
84 VILLA RD SUITE 303
GREENVILLE, SC 29615

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SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

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| IN RE: | § | CASE NO. 22-30043-H1 |
| | § | |
| Jason Earl Bockel | § | |
| Jodi Leigh Bockel | § | |
| | § | |
| DEBTORS | § | CHAPTER 13 |
| | § | |

ORDER OF DISMISSAL

1. On the chapter 13 trustee's motion, this case is dismissed. The Court's reasons for dismissal were stated on the record in open court.
2. The deadline for filing an application for an administrative expense in this case is set at 21 days following entry of this order. The deadline for filing a motion for allowance of a claim arising under § 507(b) in this case is also set at 21 days following entry of this order.
3. If an application for allowance of professional fees and expenses has previously been filed in this case, the applicant is not required to file a new application for allowance of administrative expenses under § 503, if the new application only seeks allowance of the same professional fees and expenses previously requested.
4. Any prior order directing an employer or other person to pay funds to the chapter 13 trustee is terminated. Any prior order authorizing an ACH or other means of electronic payment is terminated.
5. The Court finds good cause to direct the payment of funds held by the chapter 13 trustee at the time of entry of this Order as follows:
 - (a) First, the balance on hand in the Emergency Savings Fund will be paid to the Debtor(s);
 - (b) Second, to any unpaid chapter 13 trustee's statutory compensation;
 - (c) Third, the balance on hand in the Reserves for ad valorem taxes, to the holder of the claim secured by the senior security interest against the property for which the Reserves were established;
 - (d) Fourth, the balance in any other Reserve account to the Debtor;
 - (e) Fifth, to any unpaid payments mandated to be made by the Trustee under a prior Court order, including but not limited to any mandated adequate protection payments;
 - (f) Sixth, to pay any unpaid fees to Debtor(s)' attorneys and to reserve for any filed applications for which no order has yet been entered; and
 - (g) Seventh, to the Debtor(s).

Any party-in-interest objecting to the “for cause” distributions under this paragraph 5 must file an objection within 14 days of entry of this Order. The Chapter 13 Trustee will defer making distributions under this paragraph 5 until the next ordinary disbursement date following the later of (i) 22 days following entry of this Order; or (ii) entry of an order resolving any timely filed objection.

Dated: _____

MARVIN ISGUR
United States Bankruptcy Judge